

MELLINGER, SANDERS & KARTZMAN, LLC

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In re:

NICHOLAS PEZZA,

Debtor.

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

Case No. 16-33371-RG

Chapter 7

The Honorable Rosemary Gambardella

**APPLICATION FOR THE ENTRY OF A CONSENT ORDER IN LIEU
OF FORMAL NOTICE OF MOTION EXTENDING TIME
TO FILE A COMPLAINT OBJECTING TO DISCHARGE**

**TO: THE HONORABLE ROSEMARY GAMBARDELLA
UNITED STATES BANKRUPTCY JUDGE**

Steven P. Kartzman, the Chapter 7 Trustee (the “Trustee”), by and through his attorneys Mellinger, Sanders & Kartzman, LLC, hereby applies to this Court for entry of a Consent Order In Lieu of a Formal Notice of Motion Extending Time to File a Complaint Objecting to the Debtor’s Discharge Pursuant to 11 U.S.C. §§ 707, 727(a) and Fed. R. Bankr. P. 4004 (the “Consent Order”), and in support thereof, respectfully states:

1. On December 8, 2016 (the “Petition Date”), debtor Nicholas Pezza (the “Debtor”) filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code.
2. On April 16, 2017, the Debtor filed a motion to convert his case to one under Chapter 11.
3. On August 31, 2018, the Office of the United States Trustee filed a motion to convert or dismiss the Debtor’s case.

4. On November 30, 2018, an order was entered converting the Debtor's case to one under Chapter 7.

5. On November 30, 2018, Steven P. Kartzman was appointed to serve as the Chapter 7 Trustee, with the duties described in 11 U.S.C. § 704.

6. The 341(a) meeting was conducted on January 14, 2019 and the deadline by which to file a Complaint objecting to the Debtor's discharge is currently set for March 15, 2019.

7. The Trustee seeks an extension to June 13, 2019, so that he can review documents which the Debtor has stated will be produced shortly, request additional documents or information which may be necessary to complete an investigation of certain issues and discuss them with the Debtor and his counsel, and to provide the Debtor additional time to complete a turnover demand made by the Trustee pursuant to 11 U.S.C. § 542.

8. Counsel for the Debtor has consented to the relief sought as indicated by the signature of Donald T. Bonomo, Esq. on the proposed Consent Order.

WHEREFORE, the Trustee requests the entry of the Consent Order in the form and manner as submitted to the Court.

Respectfully submitted,

MELLINGER, SANDERS & KARTZMAN, LLC
Attorneys for Trustee, Steven P. Kartzman

By: /s/ Judah B. Loewenstein
JUDAH B. LOEWENSTEIN, ESQ.

Dated: March 14, 2019